

**NOTICE OF PROPOSED CHANGES IN REGULATIONS OF THE CALIFORNIA DEPARTMENT  
OF SOCIAL SERVICES**

**ITEM #1 California Work Opportunity and Responsibility to Kids (CalWORKs) Death of a  
Child**

The California Department of Social Services (hereafter known as the Department) hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held on October 8, 2019, at the following address:

Office Building # 8  
744 P St. Room 103  
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only if attendees are presenting testimony. The purpose of the hearing is to receive public testimony, not to engage in debate or discussion. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you need a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on October 8, 2019.

Following the public hearing the Department may thereafter adopt the proposals substantially as described below or may modify the proposals if the modifications are sufficiently related to the original text. Except for nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at [CDSS Public Hearings for Proposed Regulations](http://www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/CDSS-Regulation-Changes-In-Process-and-Completed-Regulations/Public-Hearing-Information) (<http://www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/CDSS-Regulation-Changes-In-Process-and-Completed-Regulations/Public-Hearing-Information>). Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading at the address listed below. Following the public hearing, copies of the Final Statement of Reasons will also be available at the following address:

CONTACT: California Department of Social Services  
Office of Regulations Development  
744 P. Street, MS 8-4-192  
Sacramento, CA 95814  
Tel: (916) 657-2586, Fax: (916) 654-3286  
Email: [ord@dss.ca.gov](mailto:ord@dss.ca.gov)

## **CHAPTERS**

42-700 and 44-300

## **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

Assembly Bill (AB) 433 (Chapter 514, Statutes of 2015) requires a deceased child to remain as a member of the CalWORKs assistance unit (AU) in the month in which the child's death occurred, and the following month. In addition, AB 433 prohibits sanctions from being applied or overpayments being established for adult CalWORKs recipients due to failure or refusal to comply with the Welfare-to-Work (WTW) program requirements during the month in which a child in the AU died, and the following month. This regulatory action also makes technical changes to pronouns.

The Department has determined that these proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern the CalWORKs death of a child within an AU in California.

### *Benefits Anticipated from Regulatory Action*

The benefits of the regulatory action to health and welfare of California residents, worker safety, and the state's environment is the amended regulations will help adults by not decreasing their CalWORKs grant in the month and the month following the death of a child member of the AU. The proposed amendments also extend referrals and services to affected adults which increases the likelihood of stable families moving towards self-sufficiency, resulting in a positive economic impact. There are no additional benefits for the worker safety and the state's environment as the regulations only affect individuals who are participating in the CalWORKs program. The technical changes to pronouns allow for a more inclusive atmosphere.

## **COST ESTIMATE**

1. Costs or Savings to State Agencies: None
2. Costs to Local Agencies or School Districts Which Must Be Reimbursed in Accordance with Government Code Sections 17500 - 17630: None
3. Nondiscretionary Costs or Savings to Local Agencies: None
4. Federal Funding to State Agencies: None

## **LOCAL MANDATE STATEMENT**

These regulations do impose a mandate on local county welfare agencies, but not local school districts. There are no reimbursable state-mandated costs under Section 17500 et seq. of the Government Code, because any costs generated by these regulations are negligible.

## **STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS**

The Department has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This determination was made because these regulatory changes are only applicable to recipients in the CalWORKs program.

## **STATEMENT OF POTENTIAL COST IMPACT ON PRIVATE PERSONS OR BUSINESSES**

The Department is not aware of any cost impact that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The regulation changes are designed to impact the recipients of the CalWORKs program by maintaining their grant amount in the month of, and the month following, the death of a child who was a member of the assistance unit to allow for a grieving period.

## **SMALL BUSINESS IMPACT STATEMENT**

The Department has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies. These regulations are mandated by AB 433 and are only applicable to recipients of the CalWORKs program.

## **STATEMENT OF RESULTS OF ECONOMIC IMPACT ASSESSMENT**

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California. The benefits of the regulatory action to health and welfare of California residents, worker safety, and the state's environment is the amended regulations will help the adult(s) by not decreasing their CalWORKs grant in the month, and the month following, the death of a child member of the AU. The proposed amendments also extend referrals and services to the adult(s) AU which increases the likelihood of stable families moving towards self-sufficiency, resulting in a positive economic impact. There are no additional benefits for the worker safety and the state's environment as the regulations only affect individuals who are participating in the CalWORKs program. The technical changes to pronouns allow for a more inclusive atmosphere.

## **STATEMENT OF EFFECT ON HOUSING COSTS**

The proposed regulatory action will have no effect on housing costs.

## **STATEMENT OF ALTERNATIVES CONSIDERED**

The CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law: No alternatives have been presented and because these regulations align with AB 433,

which benefits AU(s) by not decreasing the grant amount during the month, and the month following, the death of a child in the AU, and makes other technical changes.

## **AUTHORITY AND REFERENCE CITATIONS**

Welfare and Institutions Code sections 10553, 10554, 10604, 11321, 11369, and 11450.05.

## **DEPARTMENT REPRESENTATIVE REGARDING THE RULEMAKING PROCESS OF THE PROPOSED REGULATION**

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